

REMARKS

Claims 1, 2, and 8-13 have been cancelled.

Reconsideration is respectfully requested for Claims 3-7, said claims having been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,030,472 to Logan. This rejection is respectfully traversed.

A copy of Fig. 3 of the drawings in this present application is enclosed which, for the convenience of the Examiner, has the plate 505 and the plate 405 highlighted in yellow. Neither of these plates is used in the '472 patent. It should be appreciated that the prongs 44 at the top part of the drawing of Fig. 3 are longer than the depth of the plate 505 to allow a portion of the prongs 44 to extend through the holes 512 and 513, which will allow the ham or other meat product to be impaled by the prongs 44. In a similar manner, the plate 405, is formed onto the spit 404, at a predetermined distance from the tee member 402, but the prongs 30 will always extend slightly above the top of the plate 405, such that the ham or other meat product will be impaled at its lower end on the prongs 30.

The use of the two plates 505 and 405 allow the meat product to be sliced closer to the ends of the meat product illustrated in Fig. 7. Without the plates 505 and 405, one cannot slice the meat any closer to the top end than the length of the prongs 44. If one attempts to slice closer than the length of the prongs 44, the blade will contact the prongs 44 and produce undesirable results, such as cutting off the prongs 44 or damaging the blade.

In a similar manner, the lower end of the ham or other meat product, absent the presence of the plate 405, precludes the meat from being sliced closer to the end than the length of the prongs 30.

By way of example, if the prongs 44 extend for one (1) inch beneath the bottom of the plate 505, the meat can be sliced approximately one (1) inch from the top end of the ham or other

meat. In a similar vein, the prongs 30 extend up past the plate 405 by one (1) inch, the ham or other meat product can be sliced within approximately one (1) inch of the lower end of the ham or other meat product. The problem which has been solved by the current invention is illustrated in Fig. 5 of the '472 patent. The ham or other meat product illustrated in Fig. 5 of the '472 patent (copy enclosed) illustrates the upper and lower ends (highlighted in yellow) of the meat having no spiral slice.

Claims 3-7 call for the meat to be sliced closely to the upper and lower ends, for example, within a range of 1/8 to 1 inch (Claim 3); within 1/2 inch (Claim 4); within 1/4 inch (Claim 5); within 1/8 inch (Claim 6); and, within 1 inch (Claim 7). This feature is clearly not shown in the '472 patent. The '427 patent is directed to limiting how close the cutting blade can come to the side of the spit as the slicing process travels along the length of the meat, to thus leave a center portion of the meat, along the length of the spit, a feature which is not relevant to Claims 4-7 of this present application.

The Applicant therefore respectfully submits Claims 4-7, as amended, clearly distinguish over the earlier '472 patent, and courteously solicits the allowance of Claims 4-7, since they are believe to be in *prima facie* condition for allowance.

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Respectfully submitted,



William E. Johnson, Jr.

Reg. No. 22,719

The Matthews Firm (Cust. No. 021897)

1900 West Loop South, Suite 1800

Houston, Texas 77027

Tel: 713-355-4200

Fax: 713-355-9689